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September 14, 2021

VIA EMAIL ONLY

Honorable Michael A. Shipp, U.S.D.J.
Clarkson S. Fischer Building & U.S. Courthouse
402 East State Street
Trenton, New Jersey 08608

RE: United States v. Eric Hafner
Criminal No. 19-790 (MAS)

Dear Sir:

The parties are in receipt of your text Order requesting an update on the status of Dr. Lawler's comprehensive psychological evaluation, including whether Dr. Lawler had access to all information necessary to complete her report. Please accept this correspondence as the parties response.

Dr. Lawler advises that she met Mr. Hafner in the Essex County Correctional Facility on September 10, 2021. She was provided with requested information in advance of her interview. On September 13, 2021, Dr. Lawler indicated that she would like to interview Mr. Hafner again on Friday, October 1, 2021, at 10:30 a.m. The request for a second interview is to ensure that her observations are not limited to only a single interview and hopefully she will have more records. She has advised that this will not delay the release of the report which Your Honor directed to occur on or before October 11, 2021.

On September 13, 2021, Mr. Brater forwarded to Dr. Lawler some disciplinary records from the facility that were in the possession of the United States Marshal Service. In addition to those records, Dr. Lawler has requested medical records from the Essex County Correctional Facility and the Monmouth County Correctional Facility. Dr. Lawler did not obtain authorizations for those records. She believes that since this evaluation was court

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ordered, the records would also need to be ordered by the Court. I concur in her position that an authorization would not be suitable. If Mr. Hafner is incompetent, he does not have the capacity to execute an authorization. In light of the nature of her evaluation, we believe a Court Order is the only way she can obtain those records.

In the event the Court requires any additional information or would like to speak to counsel or Dr. Lawler, please have your chambers advise me and I will attempt to arrange a convenient time.

Respectfully,

Mark W. Catanzaro

Mark W. Catanzaro

MWC/pm

cc: Ian Brater, A.U.S.A. (via ECF)
Joseph Gribko, A.U.S.A. (via ECF)